

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-30 are currently pending. Claims 1, 11, and 21 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1, 2, 4, 7-12, 14, 17-22, 24, and 27-30 were rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent Application Publication No. 2003/0084176 to Tewari et al. (hereinafter “the ‘176 application”); and Claims 3, 5, 6, 13, 15, 16, 23, 25, and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘176 application in view of U.S. Patent No. 6,192,403 to Jong et al. (hereinafter “the ‘403 patent”).

Amended Claim 1 is directed to a method of initializing a plurality of protocol objects associated with respective communication protocols used to extract status information related to a monitoring device communicatively coupled to a network, comprising: (1) selecting a communication protocol among the respective communication protocols; (2) retrieving, from a first memory, information for accessing the device using the selected communication protocol; (3) accessing the device using the selected communication protocol and the information retrieved from the first memory to attempt to obtain vendor information related to the device; (4) determining whether the vendor information was obtained from the device; (5) if the vendor information was obtained from the device in the accessing step, obtaining from a second memory, support information for extracting the status information using each of the respective communication protocols, and storing the vendor information in the respective support information in each protocol object of the plurality of protocol objects; and (6) if the vendor information was not obtained from the device in the accessing step,

repeating the preceding steps for another communication protocol of the respective communication protocols until the vendor information is obtained or until each communication protocol of the respective communication protocols have been selected.

Claim 1 has been amended for the purpose of clarification only and no new matter has been added.

The '176 application is directed to a system for discovering devices in a video network including determining whether a video device in the network supports a first network protocol, and if the video device does support the first network protocol, automatically using the first network protocol to retrieve attributes of the video device from the video device. As shown in Figures 3A and 3B, the '176 application discloses that the network management system (NMS) pings a device in the video network and, if a response is received from the device, determines if a particular protocol is supported by the device. In particular, in Step 220, the '176 application discloses that, based on the IP port used in response by the device, the NMS system determines whether the device supports a particular protocol, for example, SNMP. Further, the '176 application discloses that if the device does not support the given protocol, the NMS determines whether it supports a second protocol, such as HTTP. Again, the '176 patent discloses that whether a device supports a given protocol is determined based on the IP port used by the device. Further, the '176 patent discloses that if a device supports a particular protocol, the device is queried using that protocol to obtain configuration data from the device, as shown in Figure 3A of the '176 application.

However, Applicants respectfully submit that the '176 application fails to disclose the step of if the vendor information was obtained from the device in the accessing step, obtaining from a second memory, support information for extracting the status information using each of the respective communication protocols, and storing the vendor information

and the respective support information in each protocol object of the plurality of protocol objects, as recited in Claim 1. Rather, the '176 application discloses that various SNMP filters are used to extract data from the device, but does not disclose that support information for extracting status information, as opposed to configuration information, is obtained from the second memory. Moreover, Applicants note that Claim 1 requires that the support information for extracting status information using each of the respective communication protocols is obtained from the memory in this step. On the contrary, the '176 patent merely discloses that information regarding obtaining information from the device using a particular protocol is obtained by the SNMP filter. Moreover, Applicants note that this step in Claim 1 requires that the vendor information is stored in each protocol object of the plurality of protocol objects, not just any protocol object corresponding to the protocol used to obtain the vendor information. In this regard, Applicants respectfully submit that the '176 patent does not specifically disclose protocol objects. Moreover, as discussed above, the '176 patent does not disclose storing information in a plurality of protocol objects when vendor information is obtained from the device in the accessing step using one of the selected communication protocols.

Further, Applicants respectfully submit that the '176 application fails to disclose a step of if the vendor information was not obtained from the device in the accessing step, repeating the preceding steps for another communication protocol of the respective communication protocols until the vendor information is obtained or until each communication protocol of the respective communication protocols has been selected.

Rather, the '176 application discloses a method in which other protocols are tried if it is determined, based on the IP port used by the device, whether a particular protocol is supported by the device. On the contrary, Claim 1 requires that certain steps are repeated for other communication protocols if vendor information was not obtained from the device in an

accessing step using a particular communication protocol. However, the '176 patent does not disclose that a device is accessed using a protocol unless it is determined using a pinging operation that the protocol is supported. The condition recited in Claim 1 involves whether the vendor information was obtained from the device in the step of accessing the device using a selected communication protocol. Moreover, Applicants note that Claim 1 requires that the steps that are repeated include at least the selecting, retrieving, accessing, and determining steps recited in Claim 1, and that these steps are repeated if the vendor information was not obtained from the device in the accessing step. In contrast, the '176 application merely discloses that if particular information is not obtained after all the filters of a given protocol are tried, the device is flagged as nonresponsive and the system moves on to another device. The '176 application does not disclose that another communication protocol is selected and that the same device is accessed if vendor information was not obtained when the device was accessed using a different protocol, as recited in Claim 1.

Accordingly, for the reasons stated above, Applicants respectfully traverse the rejection of Claim 1 (and all similarly rejected dependent claims) as anticipated by the '176 application.

Independent Claims 11 and 21 recite limitations analogous to the limitations recited in Claim 1. Moreover, Claims 11 and 21 have been amended in a manner analogous to the amendment to Claim 1. Accordingly, for reasons analogous to the reasons stated above, Applicants respectfully traverse the rejections of Claims 11 and 21 (and all similarly rejected dependent claims) as anticipated by the '176 application.

Regarding the rejection of dependent Claims 3, 5, 6, 13, 15, 16, 23, 25, and 26 under 35 U.S.C. § 103(a), Applicants respectfully submit that the '403 patent fails to remedy the deficiencies of the '176 application, as discussed above. Accordingly, Applicants

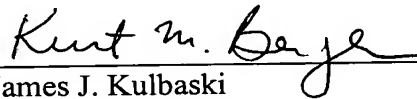
respectfully submit that a *prima facie* case of obviousness has not been established and the rejection of the above-noted dependent claims should be withdrawn.

Thus, it is respectfully submitted that independent Claims 1, 11, 21 (and all associated dependent claims) patentably define over any proper combination of the '176 application and the '403 patent.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect respectfully requested.

Respectfully submitted,

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